

REMARKS

Claims 1-44 are pending in the application. By this Amendment, claims 1, 5, 17, 29, 31, 36, and 44 have been amended. No new matter has been added. Applicant respectfully requests reconsideration and allowance of the pending claims.

In the Office Action, claims 1-7, 9-11, 13, 15-21, 23, 24, 28-30, 32, 33, and 44 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,702,418 to Ravenscroft (hereinafter "Ravenscroft"), and claims 31, 36-39, and 41-43 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,534,007 to St. Germain et al. (hereinafter "St. Germain"). In addition, claims 8, 12, 14, 22, 25-27, 34, and 35 were rejected under 35 U.S.C. § 103(a) over Ravenscroft in view of St. Germain, and claim 40 was rejected under § 103(a) over St. Germain in view of Ravenscroft. Applicant respectfully traverses these rejections.

Regarding independent claim 1, Ravenscroft does not disclose or suggest a stent delivery system including, *inter alia*, a catheter including "a tubular member including a first marker band proximate a position corresponding to a leading end of a self-expanding stent to indicate a position of the leading end, a second marker band ..., and a third marker band." Instead, Ravenscroft discloses a plurality of indicia rings 37 arranged on a core portion 17 so that a surgeon can ascertain the extent of deployment of the stent. Col. 6, line 54-58; col. 7, lines 42-59. None of the indicia rings 37 indicate a position of the leading end of the stent. Indeed, the distal most indicia ring shown in FIGS. 1, 4, 5, and 7 does not indicate the position of the leading end of the stent 20. Ravenscroft also discloses an extreme distal indicia 61. However, the distal indicia 61 is provided on the outer sheath 24 rather than on the core portion 17. Therefore,

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Ravenscroft does not disclose or suggest a tubular member having a first marker band proximate a position corresponding to a leading end of a self-expanding stent to indicate a position of the leading end, a second marker band, and a third marker band, as recited in claim 1.

For reasons similar to those discussed above in connection with claim 1, Ravenscroft also fails to disclose or suggest the features of independent claims 29 and 44. Namely, Ravenscroft does not disclose or suggest a catheter including, *inter alia*, "a tubular member including a first marker band proximate a position corresponding to a leading end of a self-expanding stent to indicate a position of the leading end, a second marker band ..., and a third marker band." Accordingly, Applicant submits that the § 102(b) rejection of independent claims 1, 29, and 44 based on Ravenscroft should be withdrawn.

Regarding independent claim 5, Ravenscroft does not disclose or suggest a stent delivery system including, *inter alia*, a "loading funnel being configured ... to receive the stent therein as the stent is loaded onto the delivery system." The Examiner alleges that the distal end tip 13 of the Ravenscroft system 10 is a loading funnel. Applicant disagrees and submits that Ravenscroft makes no mention of how the stent 20 is loaded onto the stent delivery system 10. Ravenscroft discloses that the distal end tip 13 receives a guidewire 31, but does not disclose or suggest that the distal end tip 13 "receive[s] the stent therein as the stent is loaded onto the delivery system," as recited in claim 5.

*functional language
prior art is
capable of
holding stent
therein
from drawing
stent 20
no x
apparatus
"side
funnel
help to be
of funnel*

For reasons similar to those discussed above in connection with claim 5, Ravenscroft also fails to disclose or suggest the features of independent claim 17.

Namely, Ravenscroft does not disclose or suggest a method for implantation of a self-expanding stent including, *inter alia*, "attaching a funnel to a distal end of a delivery system" and "loading a self-expanding stent onto the delivery system through the funnel." Applicant therefore submits that the § 102(b) rejection of independent claims 5 and 17 based on Ravenscroft should be withdrawn.

St. Germain does not overcome the above-noted deficiencies of Ravenscroft, and is not relied upon by the Examiner for such teachings. Instead, the § 103(a) rejection based on Ravenscroft in view of St. Germain relies on St. Germain only for the alleged teachings of an inflation device and a holding sleeve. Accordingly, the § 103(a) rejection based on Ravenscroft in view of St. Germain should be withdrawn.

Regarding independent claims 31 and 36, St. Germain does not disclose or suggest a stent delivery system including, *inter alia*, a "loading funnel being configured ... to receive the stent therein as the stent is loaded onto the delivery system." The Examiner alleges that the distal tip 25 of the St. Germain delivery catheter 5 is a loading funnel. Applicant disagrees and submits that St. Germain makes no mention of how the stent 35 is loaded onto the stent delivery catheter 5. St. Germain discloses that the distal tip 25 receives a guidewire 20, but does not disclose or suggest that the distal tip 25 "receive[s] the stent therein as the stent is loaded onto the delivery system," as recited in claims 31 and 36. Applicant therefore submits that the § 102(b) rejection based on St. Germain should be withdrawn.

Not a method as "how" it is located is intended use. St. Germain discloses structure as claimed

Ravenscroft does not overcome the above-noted deficiencies of St. Germain, and is not relied upon by the Examiner for such teachings. Instead, the § 103(a) rejection based on St. Germain in view of Ravenscroft relies on Ravenscroft only for the

alleged teaching of radiopaque marker bands. Accordingly, the § 103(a) rejection based on St. Germain in view of Ravenscroft should be withdrawn.

Claims 2-4, 6-16, 18-28, 30, 32-35, and 37-43 depend from either claim 1, 5, 17, 29, 31, or 36 and are therefore allowable for at least the same reasons respective claim 1, 5, 17, 29, or 36 is allowable.

The Office Action contains numerous characterizations of the invention, the claims, and the related art, with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Office Action.

Applicant respectfully requests reconsideration of this application, withdrawal of the claim rejections, and timely allowance of the pending claims.

If the Examiner believes a telephone conversation might advance prosecution, the Examiner is invited to call Applicant's undersigned attorney at 202-408-4252.

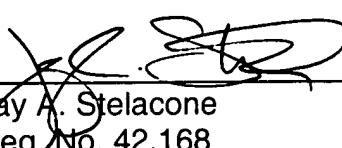
If there are any fees due in connection with this submission, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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